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OFFICE OF PETITIONS

In re Application of

Donald Henry Willis

Application No. 09/804,554

Filed: March 12, 2001

Attorney Docket No. PU010053

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.181(a) to withdraw the holding of abandonment, filed March 9, 2005.

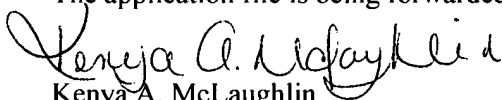
The petition under 37 CFR 1.181(a) to withdraw the holding of abandonment is granted.

This application was held abandoned on August 20, 2005, after it was believed that no response was received to the non-final Office action mailed May 20, 2005. The non-final Office action allowed a shortened statutory period for reply of three months from its mailing date. Extensions of the time set for reply were available pursuant to 37 CFR 1.136(a). A Notice of Abandonment was mailed on December 28, 2005, indicating that a reply to the non-final Office action was not received.

The instant petition maintains that an amendment responsive to the non-final Office action was transmitted via facsimile on November 19, 2005, with a request for an extension of time within the third month. A copy of the amendment containing a certificate of transmission under 37 CFR 1.8 dated November 19, 2005, accompanied the petition.

Based on the aforementioned, it appears that the application was improperly held abandoned as a proper response was transmitted prior to expiration of the statutory period for reply. The holding of abandonment is withdrawn, accordingly.

The application file is being forwarded Technology Center 2600, GAU 2614, for further processing.


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